

**Federal Defenders
OF NEW YORK, INC.**

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March 31, 2020

VIA ECF AND EMAIL

The Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Joe Medina Serrano, 19 CR 351 (VM)

Dear Judge Marrero:

With the consent of the government and in light of the COVID-19 pandemic, I write to respectfully ask that the Court endorse this letter permitting the temporary release of Mr. Medina Serrano pursuant to the below-described, agreed-upon bail conditions.

On April 16, 2019, Mr. Medina Serrano was arrested, presented, and ordered detained. On January 7, 2020, pursuant to a plea agreement, Mr. Medina Serrano pleaded guilty to Count One of the Indictment. Mr. Medina Serrano's advisory Guidelines range is between 63 and 71 months' imprisonment. Sentencing is currently scheduled for June 5, 2020.

Mr. Medina Serrano is detained at the MDC, where at least one inmate and four staff members have tested positive for COVID-19. In other BOP facilities, at least two inmates who contracted the virus have died. Per CDC guidelines, Mr. Medina Serrano, who is 59 years old and suffers from an underlying medical issue that makes him susceptible to upper respiratory infections, is at the highest risk of developing serious, if not fatal, complications if he contracts the virus.

Against this backdrop, the parties jointly propose a temporary release order. Specifically, the parties propose that Mr. Medina Serrano be released on a \$100,000 Personal Recognizance Bond ("PRB"), with the following conditions to be met within three days of his release:

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- (1) Mr. Medina Serrano must sign the PRB and his signature can be affixed remotely.
- (2) Three financially responsible persons must co-sign the PRB, remotely.
- (3) Mr. Medina Serrano will be subject to home incarceration at his oldest son's residence, located at 4282 N 103rd Avenue, Apt. #61, Phoenix, AZ.
- (4) Mr. Medina's home incarceration will be monitored by a method selected at the discretion of Pretrial Services, which may include electronic monitoring, voice verification, appointment of a third party custodian, or videoconference check-ins. If monitored electronically, Mr. Medina Serrano is permitted to self-install the monitoring equipment under the direction and instruction of Pretrial Services. Under any method of monitoring, Mr. Medina Serrano may only leave his residence for necessary medical services. All other leave from the residence must be submitted through defense counsel for the court's approval.
- (5) When home visits are scheduled by Pretrial Services, to the best of his ability, Mr. Medina Serrano shall comply with Pretrial Services' requests to remove all cohabitants of the residence prior to the visit.
- (6) Mr. Medina Serrano must report and disclose to Pretrial Services when any cohabitant of the residence, including himself, may be symptomatic of any illness.
- (7) This Release Order shall be effective until June 5, 2020, at which time the need for continued release shall be revisited by the Court only for compelling reasons.

Thank you for your consideration of this application and I hope that you and your loved ones are safe.

Respectfully submitted,

/s/

Julia Gatto
Assistant Federal Defender
Tel: (212) 417-8750



cc: AUSA Daniel Nessim (via ECF)